

PLANNING BOARD MEMBERS

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Chair

WILLIAM J. CREMERS
PIERCE RAFFERTY
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MARTIN H. SIDOR



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PLANNING BOARD OFFICE TOWN OF SOUTHOLD PUBLIC MEETING MINUTES

October 3, 2016
6:00 p.m.

Present were: Donald J. Wilcenski, Chairman
James H. Rich III, Vice Chairman
Martin Sidor, Member
William Cremers, Member
Pierce Rafferty, Member
Heather Lanza, Planning Director
Mark Terry, Principal Planner
Brian Cummings, Planner
Alyxandra Sabatino, Planner
Jessica Michaelis, Clerk Typist

SETTING OF THE NEXT PLANNING BOARD MEETING

Chairman Wilcenski: Good evening ladies and gentlemen and welcome to the regularly scheduled October 3, 2016, Planning Board meeting. The first order of business is for the Board to set Monday, **November 7, 2016 at 4:30 p.m.** at the Southold Town Hall, Main Road, Southold, as the time and place for the next regular Planning Board Meeting.

William Cremers: So moved.

Martin Sidor: Second.

Chairman Wilcenski: Motion made by Bill, seconded by Martin. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

SUBDIVISIONS

Conditional Final Plat Determinations:

Chairman Wilcenski: Stanton, Phil & Jennifer - This proposal is a Standard Subdivision of a 5.32 acre parcel into three lots where Lot 1 equals 2.45 acres, Lot 2 equals 1.25 acres, and Lot 3 equals 1.63 acres in the R-40 Zoning District. The property is located at 845 Maple Avenue, at the end of Maple Avenue approximately 679 feet south of Route 25, in Southold. SCTM#1000-64-1-29

Pierce Rafferty: Mr. Chairman, I offer the following:

WHEREAS, this proposal is a Standard Subdivision of a 5.32 acre parcel into three lots where Lot 1 equals 2.45 acres, Lot 2 equals 1.25 acres, and Lot 3 equals 1.63 acres, located in the R-40 Zoning District; and

WHEREAS, on June 2, 2014, the Southold Town Planning Board granted Conditional Preliminary Plat Approval upon the map prepared by Peconic Surveyors, P.C., entitled "Preliminary Map of Philip and Jennifer Stanton", dated July 16, 2008 and last revised December 3, 2013; and

WHEREAS, on March 19, 2015, the agent submitted the Final Plat Application; and

WHEREAS, on April 8, 2015, the Planning Board, at their Work Session, found the Final Plat Application incomplete with items to be submitted; and

WHEREAS, on May 5, 2015, Charles Cuddy, on behalf of a neighbor to the above referenced property, submitted a letter objecting to a potential future pathway for proposed Lot 3 and requested that a Final Public Hearing be held; and

WHEREAS, on December 28, 2015, the agent submitted the requested additional plans; and

WHEREAS, on January 22, 2016, the agent submitted an approved Suffolk County Department of Health Services Approved Plan; and

WHEREAS, on January 22, 2016, Planning Staff sent an email to the agent stating that the submitted Health Department endorsement only certified and approved 2 lots instead of the proposed 3 lots. Staff asked for clarification regarding what the certification of only 2 lots instead of 3 lots means; and

WHEREAS, on January 25, 2016, the Planning Board required that the applicant submit a Health Department map that endorses and approves all lots proposed; and

WHEREAS, on February 23, 2016, the agent submitted endorsed maps stamped by the Health Department for a 3 lot subdivision; and

WHEREAS, on March 23, 2016, the agent responded to the Board's request regarding the location of the potential future pathway for proposed Lot 3; and

WHEREAS, on April 4, 2016, the Planning Board reviewed the above-referenced application at their Work Session and agreed that to continue to process the application, the Board has required the submission of a proposed location for the 4' wide path to the water on proposed Lot 2; and

WHEREAS, on May 2, 2016, the Planning Board reviewed letters sent from Charles Cuddy, David Theoharides and Patricia Moore, agent for the applicant, discussing a future access way to the water. The Board agreed that the future pedestrian access path to Town Creek on Lot 2 must be located at the narrowest area of the non-disturbance buffer where it will disturb the least amount of buffer area. It was also agreed that prior to installation, the location of the proposed pedestrian access path must be reviewed by the Planning Board and a public hearing must be held pursuant to Chapter 55 of the Southold Town Code. The Board agreed that this must be memorialized in a Covenant and Restriction; and

WHEREAS, on May 2, 2016, the Planning Board, at their Work Session, agreed to waive the Final Public Hearing as the Final Map has not significantly changed from the Preliminary Plat; and

WHEREAS, on September 7, 2016, the agent submitted revised Covenants and Restrictions that include the required future pedestrian access path clause; and

WHEREAS, on September 26, 2016, the Planning Board found that all items pursuant to §240-20 Submission of Final Plat have been met; be it therefore

RESOLVED, that the Southold Town Planning Board hereby grants **Conditional Final Approval** upon the map entitled "Final Plat for the Standard Subdivision of Philip and Jennifer Stanton" prepared by David Saskas, Licensed Land Surveyor, dated July 16, 2008 and last revised June 30, 2014, subject to the following conditions to be completed prior to Final Plat Approval:

1. Installation of all concrete survey monuments as shown on the Final Plat.
2. File all signed and approved legal documents with the Office of the Suffolk County Clerk.
3. The Final Plat must meet all Subdivision Map Filing Requirements as outlined by the Suffolk County Clerk's Office. Please see the following link to their website for all requirements:
<http://www.suffolkcountyny.gov/Departments/CountyClerk/Maps/SubdivisionMap.aspx>
4. Submit to the Southold Town Planning Department twelve (12) paper copies of the Final Plat and four (4) Mylar copies of the Final Plat, all endorsed by

the Suffolk County Department of Health Services with their approval stamp with the revision that all significant trees must be shown on the Final Plat.

5. Submit the Park and Playground Fee in the amount to \$14,000.00 pursuant to §240-53 of the Southold Town Code.
6. Submit the Administration Fee in the amount to \$4,000.00 pursuant to §240-37 of the Southold Town Code.

James H. Rich III: Second.

Chairman Wilcenski: Motion made by Pierce, seconded by Jim. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Final Plat Determinations/ SEQRA Determinations:

Chairman Wilcenski: Robertson and Johnson - This proposed Lot Line Change will transfer 0.46 acres from SCTM#1000-74-1-2 to SCTM#1000-67-3-10. SCTM#1000-67-3-10 will increase from 0.24 acres to 0.70 acres, and SCTM#1000-74-1-2 will decrease from 0.46 acres to 0 acres in the R-40 Zoning District. This project is located at 55 Dickerson Street & 2730 Henry's Lane, approximately 2,690 feet north of County Route 48, in Peconic.

James H. Rich III: Mr. Chairman, I offer the following:

WHEREAS, this proposed Lot Line Change will transfer 0.46 acres from SCTM#1000-74-1-2 to SCTM#1000-67-3-10. SCTM#1000-67-3-10 will increase from 0.24 acres to 0.70 acres, and SCTM#1000-74-1-2 will decrease from 0.46 acres to 0 acres in the R-40 Zoning District; and

WHEREAS, on November 7, 2012, a Lot Line Modification Application was submitted; and

WHEREAS, on November 15, 2012, the agent submitted proof of lot recognition as required by Planning Staff; and

WHEREAS, on December 5, 2012, the Planning Board reviewed the application at their Work Session and found the application incomplete; and
WHEREAS, on February 5, 2014, the agent submitted the Zoning Board of Appeals Variance File Number 6701; and

WHEREAS, on October 2, 2015, the agent submitted all required Certificates of Occupancy for the property; and

WHEREAS, on October 19, 2015, the Planning Board reviewed the application at their Work Session and found the application to be complete. The Board agreed to not set the public hearing until 6 copies of the Lot Line Change Map were submitted which illustrated the required 50' wide perpetual non-disturbance buffer landward of the fresh water wetlands on Tax Map Lot #1000-74-1-2; and

WHEREAS, on February 3, 2016, the agent submitted revised plans that show the non-disturbance buffer; and

WHEREAS, on March 7, 2016, the Planning Board held and closed the public hearing; and

WHEREAS, the Southold Town Planning Board, pursuant to Town Code §240-56, Waivers of Certain Provisions, may waive certain elements of the subdivision review if in its judgment they are not requisite in the interest of the public health, safety and general welfare. After reviewing the information submitted for this application, the Planning Board has determined that it is eligible for a waiver of the Environmental Resources Site Analysis Plan (ERSAP), the Primary and Secondary Conservation Area Plan, the Public Hearing, and the Sketch Plat and Preliminary Plat steps of the subdivision process for the following reasons:

1. No new lots are being created;
2. No changes will occur as a result of this Lot Line Change that would adversely affect the character of the neighborhood; and

WHEREAS, the Planning Board performed an uncoordinated review of this Unlisted Action pursuant to 6 NYCRR Part 617, Section 617.7 of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, pursuant to the Lot Line Modification Policy set by the Planning Board in February 2011, this application is eligible for a decision from the Planning Board prior to receiving approval by the Suffolk County Department of Health Services (SCDHS) as it meets the following criterion set forth in that policy:

- where no new development potential will be created in the parcel to which the land is transferred; and

WHEREAS, on March 21, 2016, at their Work Session, the Planning Board required that the applicant submit filed Covenants and Restrictions citing the use of pesticides and fertilizers are prohibited on this site and that there shall be a 50' wide non-disturbance buffer landward of the freshwater wetlands on Suffolk County Tax Map Lot 1000-74-1-2; and

WHEREAS, the Planning Board determined that the proposed action meets all the necessary requirements of Town Code §240-57 for a Lot Line Modification; be it therefore

RESOLVED, that the Southold Town Planning Board, pursuant to SEQRA, hereby makes a determination of non-significance for the proposed Lot Line Modification and **grants a Negative Declaration.**

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

James H. Rich III: And be it further

RESOLVED, that the Southold Town Planning Board hereby waives the requirements of Town Code §240 to submit the ERSAP, Primary and Secondary Conservation Plans, Sketch Plat and Preliminary Plat steps.

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

James H. Rich III: And be it further

RESOLVED, that the Southold Town Planning Board hereby waives the requirement for Suffolk County Department of Health Services approval prior to Planning Board approval of this Lot Line Modification.

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

James H. Rich III: And be it further

RESOLVED, that the Southold Town Planning Board **grants Final Approval with Conditions** on the maps entitled "Re-subdivision Map situate Peconic", prepared by John C. Ehlers, Land Surveyor, dated August 8, 2011 and last revised January 15, 2016.

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

BOND DETERMINATIONS

Accept Bond Estimate:

Chairman Wilcenski: I am recusing myself from the next application, The Estates at Royalton. Vice-Chairman Jim Rich will take over.

Vice-Chairman Rich: The Estates at Royalton - This proposal is for a Standard Subdivision of a 36.9 acre parcel into 12 lots where Lots 1-11 equal 0.7 acres, and Lot 12 equals 12 acres, located in the A-C Zoning District. This subdivision includes 15.2 acres of open space and 1.7 acres for a proposed road. The property is located at 55 Cox Neck Road, approximately 490 feet north of Sound Avenue, Mattituck.
SCTM#1000-113-7-19.23

Martin Sidor:

WHEREAS, this proposal is for a Standard Subdivision of a 36.9 acre parcel into 12 lots where Lots 1-11 equals 0.7 acres, and Lot 12 equals 12 acres, located in the A-C

Zoning District. This subdivision includes 15.2 acres of open space and 1.7 acres for a proposed road; and

WHEREAS, on September 8, 2016, the Office of the Town Engineer submitted a Draft Bond Estimate for The Estates at Royalton in the amount of \$314,870.00; and

WHEREAS, on September 12, 2016, the Planning Board reviewed the Bond Estimate at their Work Session and accepted the estimate in the amount of \$314,870.00; therefore be it

RESOLVED, that the Southold Town Planning Board hereby **accepts the Draft Bond Estimate for The Estates at Royalton** in the amount of \$314,970.00 and **recommends the same to the Southold Town Board.**

William Cremers: Second.

Vice-Chairman Rich: Motion made by Martin, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Bond Reduction:

Martin Sidor: I am recusing myself from the next application, Cutchogue Business Center.

Chairman Wilcenski: Cutchogue Business Center - This approved project is a Standard Subdivision of a 6.10 acre parcel into five lots where Lot 1 equals 1.29 acres, Lot 2 equals 0.92 acres, Lot 3 equals 1.47 acres, Lot 4 equals 0.92 acres, and Lot 5 equals 1.06 acres, located in the Light Industrial Zoning District. The property is located at 12820 Oregon Road, on the corner of Cox Lane & Oregon Road, Cutchogue. SCTM#1000-83-3-4.6

William Cremers:

WHEREAS, this Approved Standard Subdivision of a 6.10 acre parcel into five lots where Lot 1 equals 1.29 acres, Lot 2 equals 0.92 acres, Lot 3 equals 1.47 acres, Lot 4 equals 0.92 acres, and Lot 5 equals 1.06 acres, located in the LI Zoning District; and

WHEREAS, on August 3, 2015, the Southold Town Planning Board accepted the Performance Bond secured by Fidelity and Deposit Company of Maryland, Performance Bond Number 09180383, for Cutchogue Business Center (F&S, LLC) in the amount of \$189,825.00; and

WHEREAS, on August 25, 2015, the Southold Town Board accepted the Security Payment in the sum of \$189,825.00; and

WHEREAS, on August 25, 2016, the agent submitted a request to reduce the Performance Bond; and

WHEREAS, the Office of the Town Engineer agreed to the reduction of the bond in the amount of \$93,312.50, and

WHEREAS, on October 3, 2016, the Planning Board, at their Work Session, agreed to a reduction in the bond from the amount of \$189,825.00 to \$96,512.50; be it therefore

RESOLVED, that the Southold Town Planning Board hereby recommends to the Southold Town Board the reduction of the Cutchogue Business Center Bond from the amount of \$189,825.00 to \$96,512.50.

James H. Rich III: Second.

Chairman Wilcenski: Motion made by Bill, seconded by Jim. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

SITE PLANS

Determinations:

Chairman Wilcenski: Fishers Island Club Additions - This Amended Site Plan is for the proposed addition of 10,471 sq. ft. to expand the existing use areas within the club house and increase the existing 14,270 sq. ft. Fishers Island Country Club to 24,741 sq. ft., including the addition of 28 parking stalls and a new sanitary system on 12.3 acres in the R-120 Zoning District. The property is located ±820' s/w/o of East Main Road & East End Road, Fishers Island. SCTM#1000-4-6-9

Pierce Rafferty: Mr. Chairman, I offer the following:

WHEREAS, this Amended Site Plan is for the proposed addition of 10,471 sq. ft. to expand the existing use areas within the club house and increase the existing 14,270 sq. ft. Fishers Island Country Club to 24,741 sq. ft., including the addition of 28 parking stalls and a new sanitary system on 12.3 acres in the R-120 Zoning District, Fishers Island; and

WHEREAS, on May 2, 2016, Lisa Poyer, authorized agent, submitted a Site Plan Application for review; and

WHEREAS, on May 16, 2016, the Planning Board formally accepted the application as complete for review; and

WHEREAS, on June 6, 2016, the Southold Town Planning Board, pursuant to State Environmental Quality Review Act (SEQRA) 6 NYCRR, Part 617, determined that the proposed action is an Unlisted Action as it does not meet any of the thresholds of a Type I Action, nor does it meet any of the criteria on the Type II list of actions; and

WHEREAS, on June 9, 2016, the Planning Board, pursuant to Southold Town Code §280-131 C., distributed the application to the required agencies for their comments; and

WHEREAS, on June 20, 2016, the Suffolk County Planning Commission (SCPC) reviewed the proposed project and considered it to be an act for local determination as there appears to be no significant county-wide or inter-community impact(s); and

WHEREAS, on June 23, 2016, the Fishers Island Fire District determined there was adequate fire protection for the site; and

WHEREAS, on July 11, 2016, the Architectural Review Committee reviewed the proposed project and approved it as submitted; and

WHEREAS, on July 11, 2016, a public hearing was held and closed; and

WHEREAS, on July 19, 2016, the Southold Town Engineer reviewed the proposed application and determined that the proposed drainage meets the minimum requirements of Chapter 236 for Storm Water Management; and

WHEREAS, on August 4, 2016, the Southold Town Fire Inspector reviewed and determined that there was adequate fire protection and emergency access for the site; and

WHEREAS, on August 4, 2016, the Town of Southold Local Waterfront Revitalization Program Coordinator reviewed the proposed project and determined it to be consistent with Southold Town LWRP policies with recommendations to the Planning Board; and

WHEREAS, on August 9, 2016, the New York State Department of Environmental Conservation (NYSDEC) reviewed the proposed project and provided a Letter of Non-jurisdiction; and

WHEREAS, on August 9, 2016, the Southold Town Trustees reviewed the proposed project and determined that the construction is out of the Coastal Erosion Hazard Area (CEHA/Chapter 111) and no permit is required but will require an Administrative Wetland Permit for minor activities proposed within 100' of the bluff; and

WHEREAS, on August 11, 2016, Lisa Poyer, authorized agent, submitted an Engineering Report and revised Septic Plan for the subject site; and

WHEREAS, on August 18, 2016, Lisa Poyer, authorized agent, submitted revised information for review; and

WHEREAS, on August 31, 2016, Lisa Poyer, authorized agent, submitted revised Site Plans and additional information for review; and

WHEREAS, on September 12, 2016, the Southold Town Planning Board, as Lead Agency pursuant to SEQRA, made a determination of non-significance for the proposed action and granted a Negative Declaration; and

WHEREAS, on September 19, 2016, the NYSDEC received a complete Notice of Intent (NOI) for proposed construction activities on the subject site for Reference #NYR11B248; and

WHEREAS, on September 21, 2016, the Southold Town Trustees issued an Administrative Work Permit (#8870A) for the subject site; and

WHEREAS, on September 22, 2016, the Suffolk County Department of Health Services (SCDHS) granted approval to Reference #C10-16-0002 for a country club @ 3,810 gallons per day; and

WHEREAS, on September 29, 2016, the Southold Town Chief Building Inspector reviewed and certified the proposed golf club as a permitted use in the R-120 Zoning District; and

WHEREAS, on October 3, 2016, the Southold Town Planning Board determined that all applicable requirements of the Site Plan Regulations, Article XXIV, §280 – Site Plan Approval of the Town of Southold, have been met; therefore, be it

RESOLVED, that the Southold Town Planning Board has determined that this proposed action is consistent with the policies of the Town of Southold Local Waterfront Revitalization Program.

William Cremers: Second.

Chairman Wilcenski: Motion made by Pierce, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Pierce Rafferty: And be it further

RESOLVED, that the Southold Town Planning Board **approves the Site Plan with three (3) conditions** entitled "Fishers Island Club", prepared by CME Associates, dated January 25, 2016 and last revised September 23, 2016, and authorizes the Chairman to endorse the Site Plan.

Conditions:

1. Provide a Photometric Plan compliant with Chapter 172.
2. An alternative onsite wastewater treatment system capable of limiting nitrogen in effluent from the Fishers Island Club's septic system to 19 mg/L or less shall be installed within five (5) years of the issuance of a Certificate of Occupancy for the addition approved herein. This system must be approved by the Suffolk County Department of Health Services (SCDHS). In the event that such a system is not available to be permitted by the SCDHS, the timing of this condition may be extended until such time that it is available.

The condition as set forth herein shall also be detailed in a covenant, a draft of which must be provided to this office within 60 days of the date of this letter, and filed with the Suffolk County Clerk within 30 days of the Planning Board's approval of the draft covenant.

3. Best Management Practices for water conservation and water quality:
 - a. Use of native, drought-tolerant plants in decorative landscaping;
 - b. No application of fertilizer products containing nitrogen, phosphorus, or potassium between November 1st and April 1st;
 - c. Apply only the minimum amount of slow-release and organic fertilizer needed to sustain healthy turf on golf courses and that fertilizer application rates shall be limited to 3 lbs. of nitrogen/1000 sq. ft. per year, over the golf course as a whole. (Consistent with the Organic Maintenance Plan adopted via Suffolk County Resolution No. 608-1998.)

William Cremers: Second.

Chairman Wilcenski: Motion made by Pierce, seconded by Bill. Any discussion? All in favor?
Ayes.

Opposed?

None.

Motion carries.

Chairman Wilcenski: McCall Wine Production Facility - This application is for the proposed construction of a multi-level 17,100 sq. ft. wine production and storage facility, including agricultural equipment storage, on a 1.8 acre reserve area (SCTM#1000-109-1-38) attached to ±35.8 acre of farmland (SCTM#1000-116-1-3.4) with Development Rights held by Suffolk County in the AC Zoning District. This facility will not be open to the public. The property is located at 22600 NYS Route 25, ±1,800' s/w/o Alvahs Lane & NYS Route 25, Cutchogue. SCTM#1000-109-1-38

James H. Rich III:

WHEREAS, this application is for the proposed construction of a multi-level 17,100 sq. ft. wine production and storage facility, including agricultural equipment storage, on a 1.8 acre reserve area (SCTM#1000-109-1-38) attached to ±35.8 acre of farmland (SCTM#1000-116-1-3.4) with Development Rights held by Suffolk County in the AC Zoning District. This facility will not be open to the public; and

WHEREAS, on September 23, 2015, Abigail Wickham Esq., authorized agent, submitted a Site Plan Application for review; and

WHEREAS, on October 6, 2015, building elevations and plans were submitted for review; and

WHEREAS, on October 19, 2015, the Planning Board found the application complete for review with additional information required; and

WHEREAS, on November 2, 2015, the Southold Town Planning Board, pursuant to State Environmental Quality Review Act (SEQRA) 6 NYCRR, Part 617.5 (c), determined that the proposed action is a Type II Action as it falls within the description for 6 NYCRR, §617.5(c)(3) agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming. The action is for the construction of a multi-level 17,100 sq. ft. wine production and storage facility, including agricultural equipment storage and, therefore, not subject to review because the proposed construction is for an agricultural site; and

WHEREAS, on December 4, 2015, Abigail Wickham Esq., authorized agent, submitted a revised Site Plan Application for review; and

WHEREAS, on December 7, 2015, a Public Hearing was held and closed; and

WHEREAS, on January 15, 2016, the Planning Board, pursuant to Southold Town Code §280-131 C., distributed the application to the required agencies for their comments; and

WHEREAS, on January 20, 2016, the Southold Town Fire Inspector reviewed and determined that there was adequate fire protection and emergency access for the site; and

WHEREAS, on January 20, 2016, the Cutchogue Fire District determined there was adequate fire protection for the site; and

WHEREAS, on February 12, 2016, the Town of Southold Local Waterfront Revitalization Program Coordinator reviewed the proposed project and determined the project to be consistent with Southold Town LWRP policies; and

WHEREAS, on February 22, 2016, the Suffolk County Planning Commission (SCPC) reviewed the proposed project and considered it to be an act for local determination as there appears to be no significant county-wide or inter-community impact(s); and

WHEREAS, on March 2, 2016, the Architectural Review Committee reviewed the proposed project and approved it as submitted; and

WHEREAS, on March 2, 2016, the Southold Town Engineer reviewed the proposed project and determined that the proposed drainage meets the minimum requirements of Chapter 236 for Storm Water Management; and

WHEREAS, on March 18, 2016, the Office of Parks, Recreation, and Historic Preservation (OPRHP) recommended a Phase I Archaeological Survey be conducted due to the project sites proximity to Downs Creek; and

WHEREAS, on March 24, 2016, the Planning Board sent a letter to the applicant requiring revisions to the Site Plan and to obtain necessary Work Permits from regulatory agencies (SCDHS, NYSDOT, OPRHP, Notice of Intent to NYSDEC); and

WHEREAS, on July 14, 2016, Abigail Wickham, authorized agent, submitted revised Site Plans and supplemental information; and

WHEREAS, on August 18, 2016, the OPRHP provided comments following a Phase I Archaeological Study on the subject site and determined it had no concerns regarding potential impacts of the project to historical architectural resources and no concerns regarding the potential impacts of the project to architectural or archaeological resources; and

WHEREAS, at their Work Session, held on August 22, 2016, the Southold Town Planning Board reviewed the proposed Site Plan and determined that all applicable requirements of the Site Plan Regulations have been met with exception of approval from the Suffolk County Department of Health Services (SCDHS) and a Highway Work Permit from the NYSDOT; and

WHEREAS, on August 31, 2016, the Suffolk County Department of Health Services (SCDHS) granted approval to Reference #C10-16-0004 for "Winery with private tasting room and office (10 occupant private tasting room only)" @ 1,208 gallons per day; and

WHEREAS, on September 12, 2016, the NYSDOT issued a Highway Work Permit Reference #52522 for the subject site; and

WHEREAS, on September 12, 2016, the Southold Town Chief Building Inspector reviewed and certified the proposed winery as a permitted use in the A-C Zoning District; and

WHEREAS, on October 3, 2016, the Southold Town Planning Board determined that all applicable requirements of the Site Plan Regulations, Article XXIV, §280 – Site Plan Approval of the Town of Southold, have been met; therefore, be it

RESOLVED, that the Southold Town Planning Board has determined that this proposed action is consistent with the policies of the Town of Southold Local Waterfront Revitalization Program.

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

James H. Rich III: And be it further

RESOLVED, that the Southold Town Planning Board **approves the Site Plan with one (1) condition** entitled “McCall Winery”, prepared by Baldassano Architecture, dated September 18, 2015 and last revised June 24, 2016, and authorizes the Chairman to endorse the Site Plan.

Condition:

No retail sales or access by the general public permitted.

This site is designed and approved for wine production and storage, not as a public tasting room, with a small area for office and meetings for staff and wine professionals only.

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Chairman Wilcenski: Hudson City Amended - This Amended Site Plan Application is for the proposed use change of an approved two story medical office building to a first floor consisting of a 1,200 sq. ft. restaurant & 3,550 sq. ft. of retail space and the second floor containing three (3) medical offices on 1.9 acres in the B/R-40 Zoning Districts. The property is located at 11600 Route 25, s/e/o Pacific Street & NYS Route 25, Mattituck. SCTM#1000-122-3-17.1

Martin Sidor:

WHEREAS, this proposed Amended Site Plan is for the proposed use change of an approved two story medical office building to a first floor consisting of a 1,200 sq. ft. restaurant & 3,550 sq. ft. of retail space and the second floor containing three (3) medical offices on 1.9 acres in the B/R-40 Zoning Districts; and

WHEREAS, on July 7, 2016, Paul Pawlowski, owner, submitted an Amended Site Plan Application for review; and

WHEREAS, on July 25, 2016, the Planning Board found the application incomplete for review and required revisions and additional information; and

WHEREAS, on July 29, 2016, Paul Pawlowski, owner, submitted revised Site Plans and additional information for review; and

WHEREAS, on August 8, 2016, the Planning Board formally accepted the Amended Site Plan Application as complete for review; and

WHEREAS, on August 8, 2016, the Southold Town Planning Board, pursuant to State Environmental Quality Review Act (SEQRA) 6 NYCRR, Part 617, determined that the proposed action is a Type II Action, as it falls within the following description for 6 NYCRR, Part 617.5(c)(7) construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a Use Variance and consistent with local land use controls, but not radio communication or microwave transmission facilities; and

WHEREAS, on August 10, 2016, the Planning Board, pursuant to Southold Town Code §280-131 C., distributed the application to the required agencies for their comments; and

WHEREAS, the proposed action is exempt from review by the Suffolk County Planning Commission (SCPC); and

WHEREAS, on August 24, 2016, the Mattituck Fire District determined there was adequate fire protection for the site; and

WHEREAS, on September 12, 2016, a Public Hearing was held and closed; and

WHEREAS, on August 30, 2016, the Southold Town Engineer reviewed the amended application and determined that the proposed drainage meets the minimum requirements of Chapter 236 for Storm Water Management since there is no proposed footprint expansion or creation of new impervious surface areas; and

WHEREAS, on September 1, 2016, the Southold Town Fire Inspector reviewed and determined that there was adequate fire protection and emergency access for the site; and

WHEREAS, on September 14, 2016, the New York State Department of Transportation (NYSDOT) provided written confirmation that all approved site work has been completed for Highway Work Permit #20161053646; and

WHEREAS, on September 22, 2016, the Suffolk County Department of Health Services (SCDHS) granted approval to Reference #C10-08-0005 for a mixed use building (16 seat max, dry retail, medical office) @ 965.14 gpd; and

WHEREAS, on September 28, 2016, the Town of Southold Local Waterfront Revitalization Program Coordinator reviewed the proposed project and determined the project to be consistent with Southold Town LWRP policies with recommendations to the Planning Board; and

WHEREAS, on September 30, 2016, the Southold Town Chief Building Inspector reviewed and certified the proposed medical offices, retail and restaurant as permitted uses in the General Business (B) Zoning District; and

WHEREAS, on October 3, 2016, the Southold Town Planning Board determined that all applicable requirements of the Site Plan Regulations, Article XXIV, §280 – Site Plan Approval of the Town of Southold, have been met; therefore, be it

RESOLVED, that the Southold Town Planning Board has determined that this proposed action is consistent with the policies of the Town of Southold Local Waterfront Revitalization Program.

William Cremers: Second.

Chairman Wilcenski: Motion made by Martin, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Martin Sidor: And be it further

RESOLVED, that the Southold Town Planning Board **approves the Amended Site Plan with two (2) conditions** entitled "Hudson City Savings Bank", prepared by L. K. McLean Associates, P.C., dated July 12, 2006 and last revised August 28, 2016.

Conditions:

1. This Amended Site Plan is for the purpose of illustrating approved changes to the interior uses of the 9,500 sq. ft. building and on-site parking totals; the approved Site Plan with approval stamp dated September 16, 2009 remains in effect for all other details that are not specifically noted on this Amended Site Plan; and
2. Best Management Practices to lessen impact on surface water and ground water quality:
 - a. Use of native, drought-tolerant plants in landscaping.
 - b. Use of organic fertilizers where the water-soluble nitrogen is no more than 20% of the total nitrogen in the mixture.
 - c. A maximum of 1 lb. of nitrogen per 1000 square feet in any one application, with a cumulative application of no more than 2 lbs. per 1,000 square feet per year.
 - d. Prohibit the application of fertilizer products containing nitrogen, phosphorus, or potassium between November 1st and April 1st.
 - e. The use of phosphorous containing lawn fertilizer is prohibited unless establishing a new lawn or soil test shows that the lawn does not have enough phosphorus. Fertilizer labels have three bold numbers. The number in the middle is the percentage of phosphorus in the product, e.g. 22-0-15. Use of products with 0.67 in the middle or lower is not restricted. Products with a number higher than 0.67 may only be used if a new lawn is being established or a soil test indicates it is necessary.

William Cremers: Second.

Chairman Wilcenski: Motion made by Martin, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Approval Extensions:

Chairman Wilcenski: New Cingular Wireless/AT&T at 1040B Hortons Lane - This approved Site Plan is for a 95' high wireless telecommunications monopole to include six (6) AT&T panel antennas and four (4) empty 10' sections for possible future co-location (all concealed within the pole), along with 300 sq. ft. proposed within an existing building for associated ground equipment on 6.9 acres in the Light Industrial Zoning District. The property is located at 1040B Hortons Lane, ±400'n/o Traveler Street & Hortons Lane, Southold. SCTM#1000-63-1-10

William Cremers:

WHEREAS, this Site Plan is for a 95' high wireless telecommunications monopole to include six (6) AT&T panel antennas and four (4) empty 10' sections for possible future co-location (all concealed within the pole), along with 300 sq. ft. proposed within an existing building for associated ground equipment on 6.9 acres in the Light Industrial Zoning District, Southold; and

WHEREAS, on April 6, 2015, the Planning Board granted approval to the Site Plan entitled "AT&T @ 1040B Hortons Lane", prepared by Malick & Scherer, P.C. on January 21, 2010, last revised on April 2, 2015; and

WHEREAS, on March 18, 2016, the Planning Board notified the applicant that Site Plan Approval would expire in six (6) months; and

WHEREAS, on September 28, 2016, John Coughlin, agent, submitted a letter requesting an Extension of Approval for one (1) year to afford AT&T time to obtain its building permit and to complete construction; and

WHEREAS, at a Work Session held on October 3, 2016, the Planning Board reviewed the application and determined that the expired Site Plan is in compliance with current rules and regulations; be it therefore

RESOLVED, that the Southold Town Planning Board **grants an Extension of Site Plan Approval for four (4) months from October 3, 2016 to February 3, 2017** on the Site Plan entitled "AT&T @ 1040B Hortons Lane", prepared by Malick & Scherer, P.C. on January 21, 2010, last revised on April 2, 2015.

Martin Sidor: Second.

Chairman Wilcenski: Motion made by Bill, seconded by Martin. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Set Hearings/ SEQRA Type Classifications:

Chairman Wilcenski: Purita Winery - This Site Plan is for the proposed construction of a 30' x 90' (2,652 sq. ft.) addition to an existing 71' x 90' (6,422 sq. ft.) wine production building to expand the current uses of wine production and storage (not open to the public) on a 0.76 acre parcel (SCTM#1000-51-3-5) with an existing single family dwelling and nine (9) parking spaces. The subject parcel is proposed to be merged with an adjacent 2.7 acre reserve area (SCTM#1000-51-3-4.11) which is attached to ±18.8 acres of farmland (SCTM#1000-51-3-4.14) with Development Rights held by Suffolk County in the AC Zoning District. The property is located at 5195 Old North Road, ±420' s/w/o County Road 48 & Old North Rd., Southold. SCTM#1000-51-3-5, 4.11, 4.12, 4.13 & 4.14

Pierce Rafferty: Mr. Chairman, I offer the following:

WHEREAS, this Site Plan is for the proposed construction of a 30' x 90' (2,652 sq. ft.) addition to an existing 71' x 90' (6,422 sq. ft.) wine production building to expand the current uses of wine production and storage (not open to the public) on a 0.76 acre parcel (SCTM#1000-51-3-5) with an existing single family dwelling and nine (9) parking spaces. The subject parcel is proposed to be merged with an adjacent 2.7 acre reserve area (SCTM#1000-51-3-4.11) which is attached to ±18.8 acres of farmland (SCTM#1000-51-3-4.14) with Development Rights held by Suffolk County in the AC Zoning District, Southold; and

WHEREAS, the Southold Town Planning Board, pursuant to State Environmental Quality Review Act (SEQRA) 6 NYCRR, Part 617, has determined that the proposed action is a Type II Action pursuant to §617.5(c)(3) and, therefore, not subject to review because the proposed construction is for an existing agricultural site; be it therefore

RESOLVED, that the Southold Town Planning Board has determined that this proposed action is a Type II Action under SEQRA as described above.

James H. Rich III: Second.

Chairman Wilcenski: Motion made by Pierce, seconded by Jim. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Pierce Rafferty: And be it further.

RESOLVED, that the Southold Town Planning Board sets **Monday, November 7, 2016 at 4:31 p.m. for a Public Hearing** regarding the Site Plan entitled "Renovations & Additions to the Purita Winery", prepared by Nancy L. Steelman, dated July 27, 2016 and last revised September 22, 2016.

James H. Rich III: Second.

Chairman Wilcenski: Motion made by Pierce, seconded by Jim. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Chairman Wilcenski: Surrey Lane Vineyard - This Site Plan is for a 3,610 sq. ft. winery (including a tasting room, retail area, wine production area, case storage and farm stand) with 39 parking stalls (21 landbanked) on a 1.8 acre parcel (SCTM#1000-69-5-18.1) adjacent to ± 43.7 acres of farmland (SCTM#1000-69-5-18.6; to be merged) with Development Rights held by Suffolk County in the AC Zoning District. The property is located at 46975 Route 25, $\pm 47'$ e/o South Harbor Road and NYS Rt. 25, Southold. SCTM#1000-69-5-18.1 & 18.6

James H. Rich III: Mr. Chairman, I offer the following:

WHEREAS, this proposed Site Plan is for a 3,610 sq. ft. winery (including a tasting room, retail area, wine production area, case storage and farm stand) with 39 parking stalls (21 landbanked) on a 1.8 acre parcel (SCTM#1000-69-5-18.1) adjacent to ± 43.7 acres of farmland (SCTM#1000-69-5-18.6; to be merged) with Development Rights held by Suffolk County in the AC Zoning District, Southold; and

WHEREAS, the Southold Town Planning Board, pursuant to State Environmental Quality Review Act (SEQRA) 6 NYCRR, Part 617, has determined that the proposed action is a Type II Action pursuant to §617.5(c)(3) and, therefore, not subject to review because the proposed construction is for an agricultural site; be it therefore

RESOLVED, that the Southold Town Planning Board has determined that this proposed action is a Type II Action under SEQRA as described above.

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

James H. Rich III: And be it further

RESOLVED, that the Southold Town Planning Board sets **Monday, November 7, 2016 at 4:32 p.m. for a Public Hearing** regarding the Site Plan entitled "A New Winery for Surrey Lane Vineyard", prepared by Nancy L. Steelman, dated August 24, 2016.

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Chairman Wilcenski: Sannino Winery & Tasting Room - This Site Plan is for the proposed construction of a 2,800 sq. ft. winery & forty (40) parking stalls on two adjacent parcels (to be merged pursuant to ZBA File #6882) totaling 8.94 acres in the A-C Zoning District. The property is located at 7495 Alvahs Lane, ±490' s/w/o Alvah's Lane and CR 48, Cutchogue. SCTM#1000-101-1-14.4 & 14.6

Martin Sidor:

WHEREAS, this Site Plan is for the proposed construction of a 2,800 sq. ft. winery and forty (40) parking stalls on two adjacent parcels (to be merged pursuant to ZBA File 6882) totaling 8.94 acres in the A-C Zoning District, Mattituck; and

WHEREAS, the Southold Town Planning Board, pursuant to State Environmental Quality Review Act (SEQRA) 6 NYCRR, Part 617, has determined that the proposed action is a Type II Action pursuant to §617.5(c)(3) and, therefore, not subject to review because the proposed construction is for an agricultural site; be it therefore

RESOLVED, that the Southold Town Planning Board has determined that this proposed action is a Type II Action under SEQRA as described above.

James H. Rich III: Second.

Chairman Wilcenski: Motion made by Martin, seconded by Jim. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Martin Sidor: And be it further

RESOLVED, that the Southold Town Planning Board sets **Monday, November 7, 2016 at 4:33 p.m.** for a Public Hearing regarding the Site Plan entitled "Sannino Vineyard", prepared by Robert J. Gruber R.A., dated June 22, 2016.

William Cremers: Second.

Chairman Wilcenski: Motion made by Martin, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

SITE PLANS - STATE ENVIRONMENTAL QUALITY REVIEW ACT

SEQRA Determinations:

Chairman Wilcenski: Threes Brewing East - This Site Plan Application is for the proposed construction of a 100' x 65' (6,500 sq. ft.) steel building for production (brewery with no retail), office and storage with 21 parking stalls on 0.96 acres in the Light Industrial Zoning District, Cutchogue. The property is located at 12820 Oregon Road, the south corner of Cox Lane & Oregon Road, Cutchogue. SCTM#1000-83-3-4.6
TABLED

Chairman Wilcenski: We are tabling Three's Brewing. I need a motion.

James H. Rich III: I make a motion.

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

PUBLIC HEARINGS

Chairman Wilcenski: 6:01 p.m. - E. Lopez Nursery - This Site Plan is for the proposed outdoor retail and wholesale sale of nursery products with an 8' x 10' (80 sq. ft.) sales office and 10 parking stalls on 1.48 acres in the Limited Business Zoning District. The property is located at 36660 NYS Route 25, 270' s/w/o Skunk Lane & NYS Rt. 25, Cutchogue. SCTM#1000-97-3-3.1

Chairman Wilcenski: At this time I would like to ask anyone that would like to address the Board, to please step to one of the podiums, state your name, address the Board not the audience and once you are finished addressing the Board you can sign your name for the record. Thank you. Would anyone like to address the Board on E. Lopez Nursery? Anyone? Seeing and hearing none.

William Cremers: I make a motion to close the hearing.

James H. Rich III: Second.

Chairman Wilcenski: Motion made by Bill, seconded by Jim. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

Chairman Wilcenski: 6:02 p.m. - Ackermann Agricultural Barn - This Amended Site Plan is for the proposed construction of a 7,142 sq. ft. agricultural storage barn on Southold Town Development Rights land; 22.8 acres in the A-C Zoning District. The property is located at 1350 Alvahs Lane, ±1175' n/w/o NYS Rt. 25 & Alvahs Lane, Cutchogue. SCTM#1000-102-4-6.1

Chairman Wilcenski: At this time I would like to ask anyone from the audience to step to one of the podiums and address the Board for this Public Hearing and once you are finished you can write your name for the record.

Karen Smith: My name is Karen Smith, my mom is Irene Sawastynowicz. She lives adjacent to this property and she went down her street and got a petition signed of people who are opposed to this structure, because they feel it's too big and too close. The original approval was for a barn setback further and it was for a smaller structure. We just feel that it would be against the rural atmosphere of Alvahs Lane. I have the petition.

Chairman Wilcenski: Okay, you can bring that up. Thank you. You can just sign your name, there should be a sheet on the podium. Anybody else? Yes.

Maril Sawastynowicz: I am Maril Sawastynowicz, I am Irene's daughter that lives right next to the farm, which was supposed to be preservation. 7,000+ square feet is huge, it does not fit into the scope of a preserved farm and its only 22 acres, it will change the vista, it will change the rural character of that road. That was my grandparent's farm, it will ruin that whole area with this big, huge building and who is to say what it can become later on? It's a vineyard, does he want to turn it into something more than just a barn? Once you build something that big, what is to say it won't become something further down than just a storage barn? It makes me very concerned and I am very against it. It's a rural farm area that is a beautiful road and it's changing so drastically out here that it's frightening and I am very much opposed. I know a lot of people are opposed that couldn't come tonight and didn't get a chance to sign the petition. I'd like to keep this hearing open so that we can get more letters together, more petitions and let the Board know that there are a lot of people against the size of this structure. I oppose it.

Chairman Wilcenski: Okay, thank you. Would anybody else like to address the Board?

Benja Schwartz: Good evening, I also live in Cutchogue, Benja Schwartz. I did have a chance to review briefly some of the paperwork, I haven't been following this application. I saw that this was called an Amended Site Plan, but I didn't find the original proposal or anything like that. In the Amended Site Plan there are some interesting aspects of this proposal that I think deserve some serious consideration. The proposed use is not specified, the prohibited uses are specified but only very generally, in the easement, the Development Rights Easement that is held by Southold Town. However, the proposed use it is clear that the use is not intended just to support the 22 acre parcel on which this structure is proposed to be built. There's information in there that this owner runs an agricultural company servicing, I think he put over 100 acres or something. So, I know that farms are not always in one piece and farmers go from farm to farm on the road with equipment, etcetera. I don't think there's really a whole lot that you could do about it in this instance, but I think that this instance deserves further consideration in the light of the precedent that will be set for other instances where people are going to be doing similar things. On the one hand we want to support that, every winery can't afford always to buy all the equipment, they might need to rent it, they might need to go from one to the other. But the question is can that type of facility

be put on land in which the development rights have been sold? And if that type of facility is put on land that the development rights have been sold, then I would beg you to take a hard look at all of the impacts of that kind of a use, as opposed to a use that just supports the property on which the building is located. If I recall correctly, it seems to me that the design of this building was completely facing the road, not the farm. I mean if I was going to, I may be wrong, are there doors on the back of the building? I know there are a lot of doors on the front of the building, but if they're going to be, if the building is for the purpose of that particular farm. So in addition to giving this particular specific proposal a hard look and doing what you can to eliminate the possibility of situations such as the Satur Farm, where we had really an agricultural distribution facility and processing facility, I think language that prohibits that kind of use should probably be expressly incorporated into any approval, if you do approve of this proposal. That language is in the Development Rights Easement, but I'm not sure about the enforceability of that and whether the design of this building has taken that into consideration, into account. So, are there any doors on the back of the building?

William Cremers: We're checking.

Benja Schwartz: We don't have it on the computer?

Chairman Wilcenski: Is Mr. Ackermann here? Maybe we'll ask him. If you're finished Mr. Schwartz, we'll ask Mr. Ackermann to come up because I think we have got a few questions also.

Benja Schwartz: Surely, thank you.

William Ackermann: Is the question proposed, is there two doors in the back?

Chairman Wilcenski: Just state your name for the record.

William Ackermann: Bill Ackermann, William C. Ackermann.

Chairman Wilcenski: The question was asked, how many doors are facing the road? And how many doors are in the back?

William Ackermann: Three in the back.

Chairman Wilcenski: Three in the back, which is facing which way?

William Ackermann: Facing east.

Chairman Wilcenski: East okay, and facing west is two?

William Ackermann: I beg your pardon?

Chairman Wilcenski: Facing west are how many doors?

William Ackermann: Three, they're adjacent to each other.

Chairman Wilcenski: So there are three on each side?

William Ackermann: Yes, plus windows.

James H. Rich III: The elevation shows four?

Heather Lanza: Or five?

William Ackermann: There is a sliding door in the middle so that I can drive through it and then close it up.

Chairman Wilcenski: So there are actually five doors?

William Ackermann: If you want to count the sliding door, yea.

Chairman Wilcenski: Okay, alright we have a couple of questions. What are the intentions for the proposed use of the land?

William Ackermann: The land itself or the barn?

Chairman Wilcenski: The land.

William Ackermann: The land itself, it's a vineyard now and it's going to stay a vineyard.

Chairman Wilcenski: Is it your vineyard?

William Ackermann: Yeah.

Chairman Wilcenski: Okay.

William Ackermann: There's roughly 8 acres of vineyard, the rest of the parcel, its 22.8, is not conducive to putting a vineyard on. So it'll just be grass.

Chairman Wilcenski: So 8 acres of planted vines and 22 acres of-

William Ackermann: Its 22.8 total, of which 8 are vines, and then there is buffer area too, I don't know how you want to count that. Its 22.8 acres in total.

Chairman Wilcenski: Okay. Anybody else have any questions? Heather?

Heather Lanza: I do. There are just a couple things we want to have for our record. One of the questions was, we see that the company is called North Fork Viticulture Services, and that is actually the address of it, do you intend to run the business out of this building?

William Ackermann: It's where I am going to store the tractors at.

Heather Lanza: You are only using it to store tractors?

William Ackermann: That's it, there's nothing else that needs to be done there, tractors and implements. I would rather have implements stored inside the barn than rather unsightly outside of the barn, that's one of the main reasons.

Heather Lanza: Is that the reason for the size of the building, the quantity?

William Ackermann: I actually did a schematic, I can forward it to you if your need it, of a footprint to show where all the pieces would fit. I still don't have room for all the implements and things I want to keep under rooves so they are not damaged by weather and what have you. I'd prefer they weren't outside, just kind of randomly sitting around.

Heather Lanza: That would be good to provide that to the Board.

William Ackermann: Sure, okay.

Heather Lanza: How about the two driveways? Normally we like to see one curb-cut, did you have a reason why you wanted the two driveways?

William Ackermann: Just because the ease of just driving, all it is, is a u-shape, that's all. There are a lot of houses and other- I don't want to be coming in and out of there onto Alvahs Lane, backing out if you will, I'd rather turn in and make it a safer way to get in and out. If you're familiar with the property up on the north side there is a hill, and quite frankly people do come down there, not necessarily at the speed they should, and so I just felt that it was safer to have it on the flat area where everybody could see comings and goings, whether north or south.

Heather Lanza: Okay. The building has dormers, are you intending to add a second floor?

William Ackermann: No, we have very light, you're probably familiar with them, picking baskets and picking bins and things of that nature, and I just wanted to make use of some cubic space.

Heather Lanza: So there is a second floor? Or not?

William Ackermann: It's a loft, it's just a loft above a barn. No access from outside.

Heather Lanza: Is that in any of the materials we have?

William Ackermann: Any of the materials, what do you mean?

Heather Lanza: Like the drawings or anything, because I didn't notice that, but it could be that I didn't notice that we had it. That there was going to be a loft? I see a floor-

William Ackermann: I gave you the floor plan and the detailed drawings.

Heather Lanza: I see a first floor plan, without details, but I didn't see anything about a loft.

William Ackermann: I don't know if-

Heather Lanza: Do you have that?

William Ackermann: I don't have it with me.

Heather Lanza: No, no, not with you, but that you could give it to us?

William Ackermann: Yes, sure.

Heather Lanza: Okay. Will there be any bathrooms in the building?

William Ackermann: No, it's dry.

Heather Lanza: Will there be an office in the building?

William Ackermann: No.

Heather Lanza: I think that's all for my questions.

Chairman Wilcenski: How about no electric or water?

William Ackermann: They'll be electric.

Chairman Wilcenski: No water?

William Ackermann: The only water that will be there is because it is a vineyard, I'm going to have to fill tanks for spraying and what have you. There is already a well in place, etcetera, so it'll just have an outside spicket for water for the tanks.

Chairman Wilcenski: Does anyone else from the Board have any questions for Mr. Ackermann?

Heather Lanza: I have one more question, I'm sorry Mr. Ackermann, in terms of the orientation, had you thought about any other ways to orient the building and is there a good reason why you wanted it this way?

William Ackermann: There is a good reason. I actually had started to look at another location on the north side of the farm, again 60 feet off the property line, which is basically 60 something feet off of Alvahs lane. The challenge with that, again is safety, there's a substantial hill there, relative to the flat land that we're used to around here, there's a substantial hill there. There's a current driveway that literally opens out onto the hill and there was a day that I was coming in, just turning into the parking lot with my truck and looking both ways up and down, just before I turned somebody came speeding by me, even though I had my blinker on and everything, they came speeding

by me, to my left, probably not being able to see me from just below that hill. So to me it was just not going to be a safe place to put a busy driveway, a busy or not driveway.

Heather Lanza: Okay.

Chairman Wilcenski: Does anyone else have any questions? Thank you for your answers. Yes, you can address the Board please.

Diane Crosser: Thank you, my name is Diane Crosser and I live at 500 Alvahs Lane. We purchased our property in 1996, planted some trees in the back. When we needed to put an addition on to bring my mom out, who was terminally ill, it was a lengthy process of getting the permits, applying, submitting plans, reviewing plans, the inspections. So, when I suddenly saw someone right in our backyard, quickly doing a lot of clearing, I have photos of that and I have videos of that, I got concerned what was happening. I went to Town and I spoke to Brian and I spoke to Tracey in the Building Department, Scott Russell several times and also Mr. Kiely in the Attorney's Department. I was told the only application was from the previous owner, that it was a four stall horse barn and a small storage shed, that's much different than a 7,142 storage barn. A few people suggested that I speak to Mr. Ackermann and I did ask him if he had spoken to any of the neighbors, he said yes, but none of the neighbors recalled having any conversation with him and everyone quite frankly, the rumor on Alvahs Lane was that it was a cattle farm. So, I did copy and I'll try and be succinct, I did copy everything just to review what was going to happen, as Benja has said before, the Town had nothing. Very often in Southold Town things pop up and then oops, they're there and maybe someone pays the fine but no one seems to know about it, so again I'll try and be succinct. On the environmental assessment form, the statement, this is from Mr. Ackermann, the question is, "Does any aspect of the action have a current valid permit or approval?" and it said, "This is an amendment to the Site Plan previously approved by the Southold Town Planning Board.", that is not true, because the previous one had expired and this was the first one coming up before you, so that statement was not true. When I saw that it made me even more nervous. Continuing with this, and if you have it, it's on page 9, the statement by Mr. Ackermann is, "That the proposed barn is at a lower elevation to minimize scenic impact, eliminate the need for major excavation, safe access for tractors from Alvahs Lane.", nothing is mentioned about the safe access of kids, and there are a lot of kids on Alvahs Lane, getting on and off school busses. On the weekend its limo city, limos, vans, you don't go out on the weekend. Nothing has made mention of safety of pedestrians, people who walk dogs, people who ride bikes, the only mention is for safety of tractors, I take issue with that, that that is not a community responsible attitude to have, that were worried about equipment. It also says rubble and debris has been removed, if you ride by there is plenty of debris still there. The desire not to build where there is a setback, where there would be a visual impact, and I could leave these with you, would be up towards the hill so none of the residences are affected by it and any traffic, and traffic does not go the speed limit on Alvahs Lane, any traffic would not pose a danger to either the people coming up the road or danger to Mr. Ackermann, if it was set further back. Page 10, the property development rights are sold, the proposed farm will provide existing agriculture by providing storage for tractors, sprayer and the NFVS manages 10-12 local vineyards totaling hundreds of acres. This is industrial use, this is not agricultural, this is not farm

use, I'll take it one step further this is again Mr. Ackermann's words on page 13, "Barn to be built on 23 acres NFVS is a growing vineyard management company and requires a barn to store tractors, it directly supports agriculture.", so Alvahs Lane is supporting the agriculture for all the vineyards that this company manages. I don't think it's fair to the residents on Alvahs Lane, I don't think it's fair, it's a disaster to have that magnitude. Benja before mentioned Satur Farms, that pales into comparison of the magnitude and the size of what this building is going to be. If it needs to be there, it can easily be set back from the road, again making it safe not only for the people that live there, again the busses and limos, this is another accident waiting to happen, by having something so close to the road. I'm not worried about the tractors, I'm worried about the people on the road. The schematic talks about, on the application it says the height of the building, on page 25, dimensions are 14 feet, the schematic shows the lowest height of the structure is 22.6, this is as per Mr. Ackermann, this is where I got this from. I think there are so many inconsistencies of what exists in this application and what is reality. There was no approved Site Plan, there is a question with regard to storage on page 31, about a pump house, chemical storage, fuel storage shown within a separate building, the schematic does not have a separate building. Page 34 talks about no parking spaces, not needed, how are the people that are going to operate that machinery going to get there if there are no parking spaces? I think this was put together in a hurry, the land was cleared so quickly that no one could think, no one knew what was going on and if you polled the neighbors, everyone is thinking, cattle farm, cattle farm, that's what it is, no one had any clue that this was happening. I appreciate your time, again, this is a residential area, for the safety of the neighbors, for the safety of everyone there, I just think its imperative that you look at this again, a 7,142 square foot storage barn to service the entire north fork does not belong on Alvahs Lane. I thank you for your time.

Chairman Wilcenski: Thank you. Would anyone else like to address the Board? Seeing none and since we do have a petition and there were several neighbors that couldn't make it tonight, I would like to make a motion to keep the hearing open.
James H. Rich III: I make a motion.

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion carries.

APPROVAL OF PLANNING BOARD MINUTES

Chairman Wilcenski: The last order of business is for the Board to approve the minutes of: **August 22, 2016 & September 12, 2016.**

James H. Rich III: I make a motion.

Martin Sidor: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Martin. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion is passed.

Chairman Wilcenski: I need a motion for adjournment.

James H. Rich III: So moved.

William Cremers: Second.

Chairman Wilcenski: Motion made by Jim, seconded by Bill. Any discussion? All in favor?

Ayes.

Opposed?

None.

Motion is passed. Good evening.

There being no further business to come before the Board, the meeting was adjourned.

Respectfully submitted,



Donald Wilcenski, Chairman



Jessica Michaelis
Transcribing Secretary